September 11, 2009

TO: Debbie Brookman, Senior Field Representative
           Washington Federation of State Employees (WFSE)

FROM: Teresa Parsons, SPHR
           Director's Review Program Supervisor

SUBJECT: Arun Nandy v. Department of Social and Health Services (DSHS)
           Allocation Review Request ALLO-08-042

On May 5, 2009, I conducted a Director's review conference at the Department of
Personnel, 2828 Capitol Boulevard, Olympia, Washington, concerning the allocation of Mr.
Nandy's position. You and Mr. Nandy were both present at the Director's review
conference. Classification & Compensation Unit Manager Robert Swanson represented
DSHS.

Director's Determination

As the Director's designee, I carefully considered all of the documentation in the file, the
exhibits presented, and the verbal comments provided by both parties. Based on my review
and analysis of Mr. Nandy's assigned duties and responsibilities, I conclude his position is
properly allocated to the Information Technology Specialist 4 classification.

Background

Mr. Nandy's position is within the Financial Services Administration, Information Technology
Office. Prior to 2007, Mr. Nandy's position had been in the Washington Management
Service (WMS). Effective December 20, 2006, Mr. Nandy's WMS position was moved to
the Washington General Service (WGS) (Exhibit B-2-d). On January 2, 2007, Classification
Manager Pamela Pelton notified Mr. Nandy that his WGS position was allocated to the
Information Technology Specialist 5 (ITS 5) classification (Exhibit B-2-c). Ms. Pelton based
her decision on Mr. Nandy's Position Description Form (PDF) for position #SJ23, signed by
his management on December 6, 2006 (Exhibit B-2-a). On May 27, 2008, the Financial
Services Administration's Human Resources Office received a PDF submitted by Mr.
Nandy's management, requesting reallocation to the Information Technology Specialist 4
(ITS 4) classification (Exhibit A-2). The Classification and Compensation Unit received the

PDF on May 30, 2008. On June 23, 2008, Mr. Swanson issued an allocation decision approving the request to reallocate Mr. Nandy's position to the ITS 4 classification (Exhibit A-1).

On July 17, 2008, we received Mr. Nandy's request for a Director's review of DSHS's allocation decision.

Summary of Mr. Nandy's Perspective

Mr. Nandy asserts the duties assigned to his position have not changed and states that the December 2006 PDF more accurately describes the level of work assigned to his position. While Mr. Nandy states the primary duties assigned to his position have not changed, he contends the duties have become more diversified and his level of responsibility has increased. Mr. Nandy contends he has sole responsibility as the lead for a number of financial related applications that interface with agency-wide systems providing services to the community. Mr. Nandy states he has lead responsibility for large, highly complex web applications for agency-wide, mission critical systems such as the Taxes Estate Recovery; Medicare/Medicaid Information System; Children's Trust Fund; Health Worker Disability System; Drug Rebate; Cash Inquiry; Customer Profile; and Production Monitoring System. He further indicates that he has joint lead responsibility for enterprise applications such as the state recovery and agency wide tax system. Mr. Nandy believes the duties and level of responsibility assigned to his position fit within the ITS 5 classification.

Summary of DSHS's Reasoning

DSHS acknowledges the duties performed at the ITS 4 and 5 levels may be similar in nature. However, DSHS contends the distinction between the classes is based on the size and scope of the program or project and the level of expertise needed to perform the assigned work. In this case, DSHS asserts the May 2008 PDF submitted for reallocation by Mr. Nandy's management indicates he works with moderately sized applications and performs his duties at the senior level. DSHS also points out that Mr. Nandy consults with higher-level technical staff to resolve complex problems. DSHS states the allocation decision was based on a comparison of the previous, December 2006 PDF with the May 2008 PDF submitted for reallocation. Because the May 2008 PDF indicates a change from working with large applications to moderate applications and the level of work assigned at the senior level, DSHS contends the ITS 4 is the appropriate classification for Mr. Nandy's position.

Rationale for Director's Determination

The purpose of a position review is to determine which classification best describes the overall duties and responsibilities of a position. A position review is neither a measurement of the volume of work performed, nor an evaluation of the expertise with which that work is performed. A position review is a comparison of the duties and responsibilities of a particular position to the available classification specifications. This review results in a

determination of the class that best describes the overall duties and responsibilities of the position. Liddle-Stamper v. Washington State University, PAB Case No. 3722-A2 (1994).

The summary of the position's scope of work described on both the December 2006 and May 2008 PDFs is essentially the same, with the exception of the level of expertise described and the size of the applications the position is tasked with designing and implementing. The body of work for both PDFs is summarized as follows:

> Reporting directly to an Application Developer Supervisor, the position is responsible for designing and implementing applications across application and database servers. The applications directly support functions of DSHS Financial Services Administration (FSA) as well as external agencies. This person works as a team member within the Applications Development group. Communicates with both internal and external DSHS customers to determine business needs, provides systems analysis and design. Creates technical documentation and develops and implements software test plans. Participates in the development of software standards and tools. Maintains legacy applications.

Mr. Nandy asserts the primary duties assigned to his position have not changed. He also states that he has not been assigned work on the legacy applications, though it is mentioned in both PDFs. The noted differences on the two PDFs are the level of work assigned to the position and the size and critical nature of the applications he works with, as well as the need to consult with higher level technical staff for complex problems.

Mr. Nandy's previous PDF (December 2006) describes the incumbent as an **expert-level** ASP.Net developer who provides **expert level communication and consultation** with internal/external customers to determine business needs and provide systems analysis and design. The 2006 PDF also references Mr. Nandy's work on **complex agency-wide applications** across numerous application and database servers in direct support of **mission critical functions** of DSHS Financial Services Administration.

On the May 2008 PDF submitted for reallocation, the incumbent is described as a **senior level** ASP.Net developer who **communicates** with internal/external customers to determine business needs and provide systems analysis and design. The 2008 PDF also states that Mr. Nandy works with **moderate applications** across application and database servers in direct support of DSHS Financial Services Administration and that he **consults with higher-level technical staff to resolve complex problems**.

Since Mr. Nandy's managers did not attend the Director's review conference, I asked them to clarify the changes that occurred regarding Mr. Nandy's assignment of work (Exhibit C). In response, Mr. Nandy's managers in the Financial Services Administration/Information Services (FSA), Roger Wilson and Samreth Sam, clarified that the level of work previously assigned to Mr. Nandy at an expert level had changed. In 2008, Mr. Nandy's work assignments were less complicated and more basic in nature for a smaller scale application. The FSA managers indicated that Mr. Nandy performed more routine

application support and maintenance functions and that he consulted with higher level technical staff as needed. They explained that his primary work assignments involved senior level work with a Production Monitoring web application, and that he performed design and development of the Production Monitoring database. The database inventories a list of applications, interfaces, and production jobs (Exhibit C-1, FSA response to questions #1 & #13). Mr. Nandy maintains that he performs work at the ITS 5, expert level, and disagrees with his management's responses, asserting that he performs even more complicated tasks (Exhibit C-2).

In addition to considering the May 2008 PDF submitted for reallocation, I also considered the responses provided by both parties. Both responses include references to job performance. Mr. Nandy also references volume of work (number of heat tickets), as well as references to problems in his work unit affecting his work. The focus of an allocation review, however, is limited to the duties and responsibilities assigned to the position and where the majority of those duties best fit within the available job classes.

During the Director's review conference and in his written response to management's description of his work, Mr. Nandy indicated that he has worked on the following systems (Exhibit C-2, Arun's reply to question #1):

- Taxes, Estate Recovery
- Children's Trust Fund (CTF)
- Medicare Overpayment Management (MOMS)
- Customer Profile
- Health Worker Disabilities
- Cash Inquiry
- Drug Rebate
- Production Monitoring System (described as a new system)

In his response, Mr. Nandy clarified that he started at DSHS with the Cash Inquiry application in 2006 and subsequently performed similar tasks in the Customer Profile application. At the end of 2006, Mr. Nandy started working with Estate Recovery as part of the Tax Web team as a developer (Exhibit C-2, Arun's reply to question #3).

The FSA managers indicated that Mr. Nandy worked on the following systems in 2008 (Exhibit C-1, FSA response to question #4), which they described as the moderately sized financial applications in the Essential Functions portion of the May 2008 PDF (Exhibit A-2, page 2):

- Estate Recovery
- Customer Profile
- Healthcare for Workers with Disabilities
- Medicare Overpayment Management (MOMS)
- Production Systems Monitoring

In his reply to question #1, as well as his comments during the Director's review conference, Mr. Nandy indicated that he works with the above systems.

The FSA managers clarified that Mr. Nandy was no longer assigned web application support tasks in the Children's Trust Fund (CTF) system but that he still performed work on the database update scripts (Exhibit C-1, FSA response to question #2). The FSA managers indicated Mr. Nandy's assigned work with the moderately sized applications do not have agency wide impact and instead impact a smaller subset of customers. They further indicated that the applications have a smaller number of database and programming objects in comparison to larger systems and that the applications can be supported by an ITS 4 position (Exhibit C-1, FSA response to question #6). The FSA managers also clarified that Mr. Nandy works with customers to resolve problems and performs design and development of new Microsoft SQL Server 2000 database applications (Exhibit C-1, FSA response to questions #8 and #10). They also clarified that Mr. Nandy does support legacy applications with his work on the Customer Profile and Healthcare for Workers with Disabilities applications, which they describe as older software written using Active Server Pages (ASP) (Exhibit C-1, FSA response to question #16).

The work described as essential functions of Mr. Nandy's position on the May 2008 PDF includes the following (Exhibit A-2):

- Plan, analyze, and develop financial applications which are important to the business needs of FSA;
- Maintain moderately sized legacy software systems developed in Microsoft SQL Server 7/2000 and classis ASP;
- May support applications used by other organizations supported by FSA/ITO;
- Develop Microsoft SQL Server 2000 databases applications, including database schema, stored procedures, triggers, and user defined functions;
- Develop and implement test plans;
- Plan, design, and write manuals for software systems;
- Provide status reports of assigned work;
- Create and maintain technical software systems documentation;
- Participate in knowledge transfer or cross training sessions with other team members.

I understand that Mr. Nandy disagrees with DSHS's characterization of his assigned duties and the size and scope of the applications that he works with. However, his statements in his responses to the FSA manager's statements confirm that he worked with the applications listed by management in question #4. The FSA managers indicated that Mr. Nandy was assigned to work with those in 2008. Some of the duties described by Mr. Nandy also reflect an earlier time period (back to 2006). The FSA managers indicated that Mr. Nandy's duties were changed in 2008, and a new PDF was created to reflect the new assignments.

Both the Personnel Appeals Board and the Personnel Resources Board have held that because a current and accurate description of a position's duties and responsibilities is documented in an approved classification questionnaire, the classification questionnaire becomes the basis for allocation of a position. An allocation determination must be based on the overall duties and responsibilities as documented in the classification questionnaire. Lawrence v. Dept of Social and Health Services, PAB No. ALLO-99-0027 (2000). The Position Description Form (PDF) replaced the classification questionnaire.

When comparing the assignment of work and level of responsibility to the available class specifications, the class series concept (if one exists) followed by definition and distinguishing characteristics are primary considerations.

The Information Technology Specialist 5 classification definition includes the following:

> This is the supervisory or expert level. Provides expert consultation and specialized analysis, design, development, acquisition, installation, maintenance, programming, testing, quality assurance, troubleshooting, and/or problem resolution tasks for major organization-wide, high risk/high impact, or mission-critical applications computing and/or telecommunication systems, projects, databases or database management systems; support products, or operational problems.

> Performs highly-complex tasks such as conducting capacity planning to determine organization-wide needs and make recommendations; designing complex agency- or institution-wide enterprise systems crossing multiple networks, platforms or telecommunication environments; overseeing the daily operations of large-scale or enterprise systems; identifying and resolving operational problems for major high risk systems with centralized, organization-wide functions; testing multi-dimensional applications, providing quality assurance; developing standards or enhancing existing, high risk and impact, mission critical applications; integrating business solutions, or writing feasibility studies and decision packages for high visibility/impact initiatives.

> Provides leadership and expert consultation for large-scale projects or enterprise systems that often integrate new technology and/or carry out organization-wide information technology functions, or impact other institutions or agencies. Provides project management leadership, technical expertise and demonstrates knowledge of project management practices, principles, and skills.

Mr. Nandy's managers have indicated that his position was assigned senior level work on new application development on the Production Monitoring web application. Further, the May 2008 PDF indicates that his position is considered a senior level ASP.Net developer responsible for designing and implementing moderately sized applications. Although Mr. Nandy had previously been assigned expert level work, his work was reassigned in 2008.

The ITS 5 classification is not the appropriate fit for the work assigned to his position at the time of his position review in 2008.

The Information Technology Specialist 4 classification definition reads as follows:

> Performs analysis, system design, acquisition, installation, maintenance, programming, project management, quality assurance, troubleshooting, problem resolution, and/or consulting tasks for complex computing system, application, data access/retrieval, multi-functional databases or database management systems, telecommunication, project or operational problems.

> As a senior-level specialist in an assigned area of responsibility and/or as a team or project leader, applies advanced technical knowledge and considerable discretion to evaluate and resolve complex tasks such as planning and directing large-scale projects; conducting capacity planning; designing multiple-server systems; directing or facilitating the installation of complex systems, hardware, software, application interfaces, or applications; developing and implementing quality assurance testing and performance monitoring; planning, administering, and coordinating organization-wide information technology training; acting as a liaison on the development of applications; representing institution-wide computing and/or telecommunication standards and philosophy at meetings; or developing security policies and standards.

> Incumbents understand the customer's business from the perspective of a senior business person and are conversant in the customer's business language. Projects assigned to this level impact geographical groupings of offices/facilities, and/or regional, divisional, or multiple business units with multiple functions. The majority of tasks performed have wide-area impact, integrate new technology, and/or affect how the mission is accomplished.

Although Mr. Nandy's managers have described the applications he works with as moderate in size, they have also indicated that he performs work at the senior level. Further, as a senior level ASP.Net developer, his position has responsibly for designing and implementing applications across application and database servers. While examples of typical work identified in a class specification do not form the basis for an allocation, they lend support to the work envisioned within a classification. Consistent with the level of work exemplified by the ITS 4 class, Mr. Nandy's position has been assigned to plan, analyze, and develop applications, as well as develop and implement test plans.

Based on the level, scope and diversity of the overall duties and responsibilities of Mr. Nandy's position, the Information Technology Specialist 4 classification is the best fit.

Appeal Rights

RCW 41.06.170 governs the right to appeal. RCW 41.06.170(4) provides, in relevant part, the following:

> An employee incumbent in a position at the time of its allocation or reallocation, or the agency utilizing the position, may appeal the allocation or reallocation to . . . the Washington personnel resources board . . . . Notice of such appeal must be filed in writing within thirty days of the action from which appeal is taken.

The address for the Personnel Resources Board is 600 South Franklin Street, P.O. Box 40911, Olympia, Washington, 98504-0911.

If no further action is taken, the Director's determination becomes final.

c: Arun Nandy
       Robert Swanson, DSHS

Enclosure: List of Exhibits

ARUN NANDY v DSHS
ALLO-08-042
Exhibit List

A.   Director's Review Request filed by Arun Nandy on July 17, 2008, with attached reallocation letter from DSHS.

    1. Reallocation Letter dated June 23, 2008
    2. Position Description Form signed & dated May 2008
    3. Organizational Chart
    4. Classification Specification ITS 4
    5. Classification Specification ITS 5

B. Filed by DSHS:

    1. ITS 4 PDF Package

        a. Position Description Form May 27, 2008 (same as A-2 above)
        b. Organizational Chart
        c. Reallocation Letter dated June 23, 2008 (same as A-1 above)

    2. Previous PDF Package and letters dated December 20, 2006:

        a. Position Description Form dated December 2006
        b. Reallocation letter dated January 2, 2007, from WMS to WGS
        c. Letter from DSHS addressing the decision to remove position from WMS.

    3. Information Technology Specialist 4 Class Specifications (479L) (same as A-4 above)
    4. Information Technology Specialist 5 Class Specifications (479M) (same as A-5 above)

C.   May 14, 2009 email from Teresa Parsons to DSHS requesting clarification from Mr. Nandy's management

    1. July 7, 2009 response from DSHS
    2. August 6, 2009 response to DSHS's response from Mr. Nandy